

**INFORMATION SHEET**  
**DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS**  
**RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK**  
**COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** \_\_\_\_\_ Seattle \_\_\_\_\_  
**FILE NUMBER:** \_\_\_\_\_ 200500450 \_\_\_\_\_

**REGULATORY PROJECT MANAGER:** \_\_\_\_\_ Tim Erkel \_\_\_\_\_ **Date:** 2-6-06 \_\_\_\_\_

**PROJECT REVIEW/DETERMINATION COMPLETED:** **In the office** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**At the project site** X **Date:** 2-2-06 \_\_\_\_\_

**PROJECT LOCATION INFORMATION:**  
**State:** \_\_\_\_\_ Washington \_\_\_\_\_  
**County:** \_\_\_\_\_ Asotin \_\_\_\_\_  
**Center coordinates of site by latitude & longitudinal coordinates:** \_\_\_\_\_ 46 08 24/116 56 08 \_\_\_\_\_  
**Approximate size of site/property (including uplands & in acres):** \_\_\_\_\_ 10 acres \_\_\_\_\_  
**Name of waterway or watershed:** \_\_\_\_\_ Snake River \_\_\_\_\_

**SITE CONDITIONS:**

Type of aquatic resource <sup>1</sup>	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond									
Other water (identify type)	X								
Road-side ditches									

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup> :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?		X			
Is used to irrigate crops sold in interstate commerce?		X			

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:** \_\_\_\_\_ **Preliminary** \_\_\_\_\_ **Or** \_\_\_\_\_ **Approved** X \_\_\_\_\_.

**ADDITIONAL INFORMATION SUPPORTING NJD:** The wetlands involved in this project are the products of hillside seeps that drain into the road-side ditches that go under the road toward the Snake River, but the ditches disappear and the flow goes subsurface shortly after crossing the road. There is no surface connection to the Snake River or any other surface waterbody.